

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS (EASTERN DIVISION)**

IN RE:)	
)	Case No. 23-06630
YANG SHAO,)	
)	Chapter 13
Debtor.)	

APPLICATION TO SET HEARING ON EMERGENCY MOTION

NOW COMES Creditor Customers Bank, by and through counsel, and for the Application to Set Hearing on Its Emergency Motion for Entry of an Order Directing Debtor Yang Shao (the “Debtor”) to Terminate Business Operations, Provide Proof of Insurance, and Permit Inspection of the Arizona Real Property, a copy of which is attached hereto as Exhibit 1, states as follows:

1. Pursuant to Local Rule 9013-2, a motion may be treated as an emergency only if it arises from an occurrence that could not reasonably have been foreseen and requires immediate action to avoid serious and irreparable harm.

2. On May 19, 2023, the Debtor filed her voluntary petition for relief under Chapter 13 of the Bankruptcy Code (the “Petition Date”).

3. On June 21, 2023, Customers Bank and the Debtor appeared before this Court for initial hearings on: (a) Debtor’s Motion for Interim Order Permitting Debtor to Use Cash Collateral (Docket No. 28); (b) Debtor’s Motion to Convert from Chapter 13 to Chapter 11 Subchapter V (Docket No. 49); (c) Customers Bank’s Motion to Dismiss (Docket No. 24); and Customers Bank’s Motion for Relief from the Automatic Stay (Docket No. 23).

4. At the hearing on June 21, 2023, at which the Debtor was present, the Court ordered that the Debtor maintain and preserve the Arizona Real Property.

5. In their discussions on June 21, 2023, Customers Bank and the Debtor agreed that, consistent with the Court’s directions regarding maintaining and preserving the Arizona Real

Property, the Debtor would provide proof of insurance and allow Customers Bank to inspect the Arizona Real Property.

6. At the hearing on June 21, 2023, the Court further ordered the Debtor to cease operating the Arizona Real Property.

7. Despite request, the Debtor has failed to remove the Airbnb listings for the Arizona Real Property, failed to confirm that she has terminated business operations, failed to provide proof of insurance, and failed to permit an inspection of the Arizona Real Property.

8. Immediate action is needed to avoid serious and irreparable harm from the Debtor's failure to maintain and preserve the Arizona Real Property as required by the Court.

WHEREFORE, Customers Bank respectfully requests that this Court schedule an emergency hearing on its Emergency Motion for Entry of an Order Directing Debtor Yang Shao to Terminate Business Operations, Provide Proof of Insurance, and Permit Inspection of the Arizona Real Property.

Dated July 6, 2023

CUSTOMERS BANK,

By: /s/ C. Randall Woolley
Alex Darcy
C. Randall Woolley
Darcy & Devassy, PC
444 North Michigan Avenue
Suite 3270
Chicago, IL 60611
(312) 784-2400 Telephone
(312) 784-2410 Facsimile
adarcy@darcydevassy.com
rwoolley@darcydevassy.com